



Texas State  
Soil & Water  
Conservation  
Board



# Soil & Water Conservation District Directors

## Qualifications, Terms and Duties





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# What is a SWCD?

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Soil and water conservation districts are political subdivisions of state government.

(Prohibited by law from exercising powers of taxation or eminent domain)

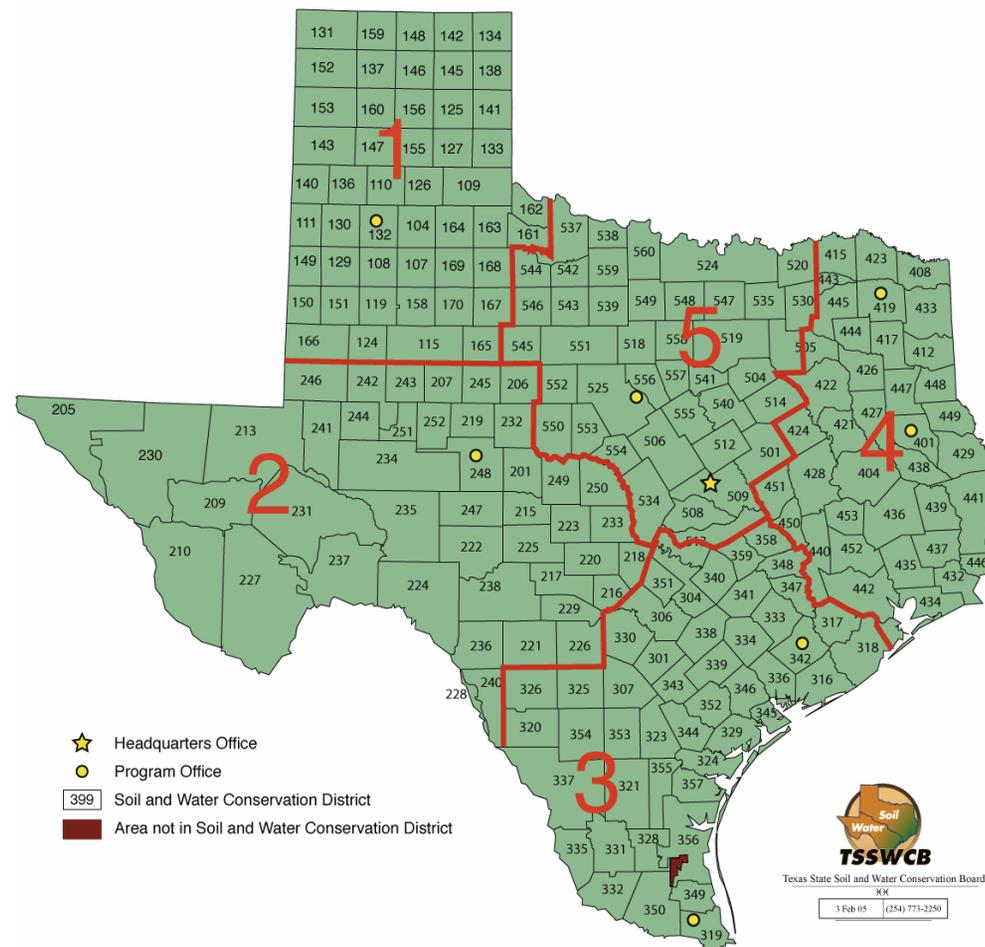


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# Texas Divided Into 5 Districts

## Soil and Water Conservation Districts

February, 2005



Texas State Soil and Water Conservation Board

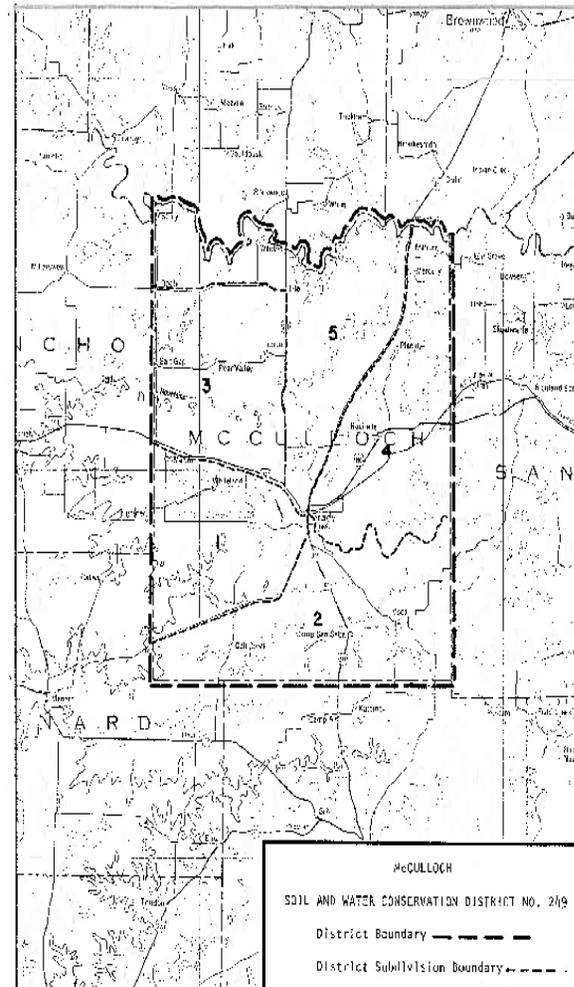
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# Districts Divided Into 5 Subdivisions





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# What is the Process for Becoming a SWCD Director?

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Soil and water conservation district directors in Texas are by law elected in a convention type election.

A person may also assume (until the next regular election for the zone) the position of a SWCD director by direct appointment due to a resignation, death etc.



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# What You Need to Know About Director Elections

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Prior to July 15<sup>th</sup>  
district directors  
shall hold a meeting  
to:

1. Designate a date, time and places for elections that is after September 30 and before October 16
2. Approve a "Notice to Eligible Voters"
3. Designate a director as the authority responsible for preparing the election ballots



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# Checklist for Director Elections

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Prior to July 15<sup>th</sup>  
district directors  
shall hold a meeting  
to:

4. Designate a director as the authority responsible for and set time and location for accepting declaration notices.
5. Designate a director as chief election clerk and name assistant agents as deemed necessary.



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# Checklist for Director Elections

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Prior to July 15<sup>th</sup>  
district directors  
shall hold a meeting  
to:

6. Designate a director as the presiding election judge
7. Post "Notice to Eligible Voters in a prominent public place (Example: next slide)



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TEXAS STATE SOIL AND WATER CONSERVATION BOARD  
TEMPLE, TEXAS

NOTICE TO ELIGIBLE VOTERS

OF THE \_\_\_\_\_  
SOIL AND WATER CONSERVATION DISTRICT NO. \_\_\_\_\_

**NOTICE OF FILING FOR CANDIDACY**

To all eligible voters in the above named Conservation District as described under the provisions of V.T.C.A., Agriculture Code, Chapter 201, who hold title to farm and ranch lands lying within Subdivision No. \_\_\_\_\_ (legal description attached) within said Conservation District and intend to run as a candidate for the office of Director of

\_\_\_\_\_ SOIL  
AND WATER CONSERVATION DISTRICT NO. \_\_\_\_\_, notice is hereby given that in accordance with the provisions of V.T.C.A. Agriculture Code, Section 201.073 and rules adopted by said district, that candidates must file a written notice of candidacy with said district during established business hours in the month of August at

\_\_\_\_\_  
(location)

Qualified voters of the above named Soil and Water Conservation District will assemble

at \_\_\_\_\_ at \_\_\_\_\_ M, on the \_\_\_\_\_ (location) day of \_\_\_\_\_ October, \_\_\_\_\_, then and there to elect a candidate owning land

within said subdivision to serve as a member of the Board of Directors of said soil and water conservation district.

**BY DIRECTION OF THE STATE SOIL AND WATER  
CONSERVATION BOARD**



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# Checklist for Director Elections

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August 1<sup>st</sup> through  
30th

District must provide qualified individuals the opportunity to file for candidacy during established business hours in the month of August.  
(See form next slide)



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# Declaration Notice for Candidacy

• **DECLARATION NOTICE FOR CANDIDACY**

- TO: Chairman of the \_\_\_\_\_ SWCD No. \_\_\_\_\_
- I hereby declare my intent to run as a candidate for Director of Subdivision No. of the \_\_\_\_\_
- \_\_\_\_\_ Soil and Water Conservation District No. \_\_\_\_\_
- Name \_\_\_\_\_
- Residence Address \_\_\_\_\_
- City \_\_\_\_\_ Zip Code \_\_\_\_\_
- 1. I reside in a county all or part of which is in the district.  
Yes \_\_\_\_\_ No \_\_\_\_\_
- 2. I own agricultural land in the subdivision for which I am filing notice of candidacy.  
Yes \_\_\_\_\_ No \_\_\_\_\_
- 3. I am actively engaged in the business of farming or animal husbandry.  
Yes \_\_\_\_\_ No \_\_\_\_\_
- 4. I am 18 years of age or older  
Yes \_\_\_\_\_ No \_\_\_\_\_
- I further declare that all foregoing information included in this notice is in all things true and correct.
- \_\_\_\_\_
- Signature of Candidate      Date \_\_\_\_\_
- \_\_\_\_\_

• **To be completed by the district or designated agent:**

- \_\_\_\_\_
- Date Received      Signature of Receiving Officer

• **Certification of Withdrawal**

- I, \_\_\_\_\_, a candidate for the office of \_\_\_\_\_
- Director of Subdivision No. \_\_\_\_\_ of the \_\_\_\_\_
- \_\_\_\_\_ SWCD No. \_\_\_\_\_, hereby withdraw my candidacy from the October \_\_\_\_\_, \_\_\_\_\_, election for district director. The election is being conducted by the district named above.
- \_\_\_\_\_
- Signature of Candidate      Date \_\_\_\_\_
- **To be completed by the district or designated agent:**
- This withdrawal was acknowledged on \_\_\_\_\_
- \_\_\_\_\_
- Date      Signature of Receiving Officer



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# Process for an Unopposed Candidate

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If only one candidate files a notice of candidacy during the August filing period the district will initiate the cancellation of the election:

1. The director designated to prepare the ballots will prepare the Certification of Unopposed Candidates and file this form with the chairman of the district board of directors. (See form next slide)



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# Process for an Unopposed Candidate

## Certification of Unopposed Candidate

- **CERTIFICATION OF UNOPPOSED CANDIDATES**
- TO: Chairman of the \_\_\_\_\_ Soil and Water
- Conservation District No. \_\_\_\_\_
- As the authority responsible for having the official ballot prepared, I hereby certify that the following candidate is unopposed for election to office for the election scheduled to be held at \_\_\_M on \_\_\_\_\_.
- List office and name of candidate:
  - Office \_\_\_\_\_ Candidate \_\_\_\_\_
  - Director of Subdivision No. \_\_\_\_\_
  - \_\_\_\_\_
  - Signature \_\_\_\_\_
  - \_\_\_\_\_
  - Printed name \_\_\_\_\_
  - \_\_\_\_\_
  - Title \_\_\_\_\_
  - \_\_\_\_\_
  - Date of signing \_\_\_\_\_



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# Process for an Unopposed Candidate

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If only one candidate files a notice of candidacy during the August filing period the district will initiate the cancellation of the election:

2. The district board of directors must post and meet in open session, accept the certification and issue an Order of Cancellation (See form next slide)



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# Process for an Unopposed Candidate

## Order of Cancellation

### • ORDER OF CANCELLATION

- The \_\_\_\_\_ Soil and Water Conservation District
- No. \_\_\_\_\_ hereby cancels the election scheduled to be held at \_\_\_\_\_M
- on \_\_\_\_\_ . In accordance with V.T.C.A., Agriculture
  - \_\_\_\_\_ (date of scheduled election)
- Code, Section 201.073(d) the following candidate has been certified as unopposed and is hereby elected as follows:
- **Candidate:** \_\_\_\_\_
- **Mailing Address:** \_\_\_\_\_
- **Office Sought:** Director of Subdivision No. \_\_\_\_ of the
- \_\_\_\_\_ SWCD No. \_\_\_\_\_
- \_\_\_\_\_
- Chairman \_\_\_\_\_
- Secretary \_\_\_\_\_
- \_\_\_\_\_
- Date of Adoption \_\_\_\_\_
- A copy of this order to be posted on Election Day at the place that would have been used in the election.



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# Process for an Unopposed Candidate

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The directors shall:

3. Record the proceedings of the meeting and no later than the fifth day after the date of the election, certify to the State Board the name and address of the person elected.





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# Process for an Unopposed Candidate

The second is the "Oath of Office".

In the name and by the authority of

The State of Texas

OATH OF OFFICE

- I, \_\_\_\_\_, do
- solemnly swear (or affirm), that I will faithfully execute the duties of the office of Director of the \_\_\_\_\_ Soil and Water
- Conservation District No. \_\_\_\_\_, Subdivision # \_\_\_\_\_ of the State of
- Texas, and will to the best of my ability preserve, protect, and defend
- the Constitution and laws of the United States and of this State, so help
- me God.

Signature of Affiant \_\_\_\_\_

- **SWORN TO** and subscribed before me by affiant on this \_\_\_\_\_
- day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public

- (stamp)

\_\_\_\_\_  
Printed Name

- **Form must be notarized**

\_\_\_\_\_  
Title



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# Process for an Unopposed Candidate

The third is the  
"Personal Data  
Sheet".

• **PERSONAL DATA SHEET**

(Name of Director) \_\_\_\_\_

Date of Birth \_\_\_\_\_

Social Security No. \_\_\_\_\_ County \_\_\_\_\_

(Complete mailing address) \_\_\_\_\_

\_\_\_\_\_ (Area code) (Home phone)

\_\_\_\_\_ (Area code) (Business phone)

Yes \_\_\_ No \_\_\_ Do you reside in a county all or any part of which is in the district and own agricultural land in the zone that you are to represent?

Yes \_\_\_ No \_\_\_ Are you actively engaged in the business of farming or animal husbandry?

Yes \_\_\_ No \_\_\_ Are you a District Cooperator?

Professional or business interests, if any, other than farming or ranching:

\_\_\_ Lawyer \_\_\_ Doctor \_\_\_ Dentist \_\_\_ Engineer (kind) \_\_\_

Teacher \_\_\_ Preacher \_\_\_ Banker \_\_\_ Other \_\_\_\_\_

List membership and offices in local, state, or national organizations, agencies, etc.

Previously held:

Presently held

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Director

\_\_\_\_\_



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# Process for an Unopposed Candidate

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To complete the cancellation process, a copy of the cancellation order must be posted on the scheduled day of election at the location that would have been used in the election.



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# Process for an Unopposed Candidate

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SWCDS must send the original forms back to the state office and keep a copy for their files of the following forms.

1. Order of Cancellation
2. Personal Data Sheet
3. Statement of Appointed of Elected Officer
4. Notarized Oath of Office form

(Note: The name and proper address of the person elected is to be certified to the TSSWCB no later than 5 days after the election.)



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# Checklist for Director Elections

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## 30 Days Prior to Election Date

Notice must be published  
in a newspaper at least  
twice.

- 1<sup>st</sup> notice not more than 30 days prior to election
- 2<sup>nd</sup> notice not later than 10 days prior to election

(Cost to post advertisement in  
paper will be incurred by  
SWCD.)



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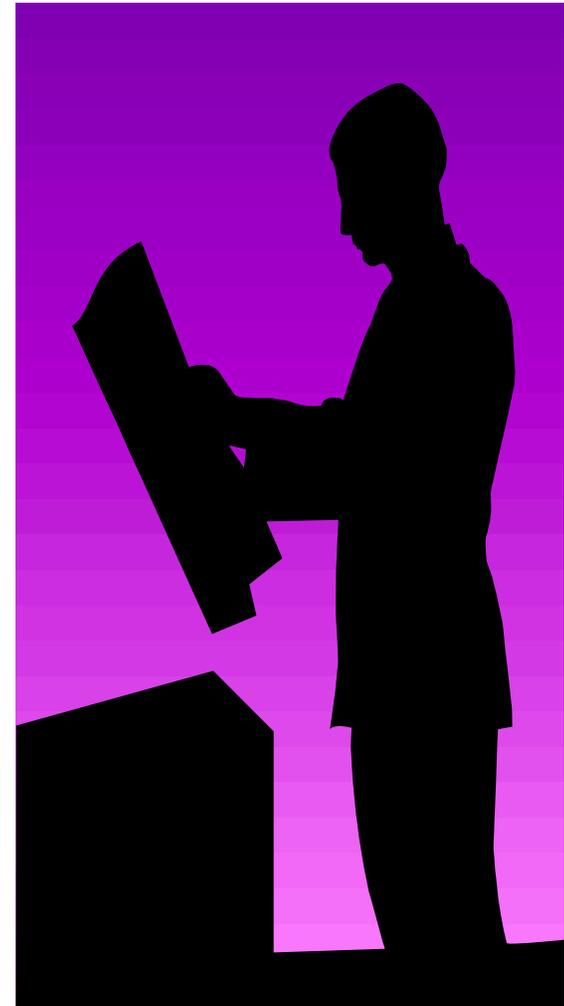
# Notice for Newspaper Publication

## Example Notice for Newspaper Publication

### Director Election and Notice: The

\_\_\_\_\_  
Soil and Water Conservation District No. \_\_\_\_ Board of  
Directors hereby orders and gives notice of an election  
for the purpose of electing one director for Subdivision  
\_\_\_\_. In accordance with provisions of V.T.C.A.,  
Agriculture Code, Section 201.073, qualified voters of  
the above named district will assemble October \_\_\_\_, at  
\_\_\_\_.m. at \_\_\_\_\_ (Location) to conduct the  
election.

Early voting by personal appearance for eligible voters will  
begin on \_\_\_\_, (day) September \_\_\_\_, and continue  
each weekday through, \_\_\_\_ (day)  
September/October, \_\_\_\_, \_\_\_\_, from \_\_\_\_ a.m. to  
\_\_\_\_ p.m. at \_\_\_\_\_ (location). Early voting shall  
also be conducted on Saturday, September/October,  
\_\_\_\_, \_\_\_\_, from \_\_\_\_ a.m. to \_\_\_\_ p.m. at  
\_\_\_\_ (location). Additional election  
information is available by contacting the  
\_\_\_\_ SWCD at  
\_\_\_\_ (location) or by calling \_\_\_\_\_  
(contact phone number)





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# 21 Days Prior to Election Date

**Texas State Soil and Water  
Conservation Board  
Temple, Texas  
Due Notice of Election**

NOTICE OF ELECTION OF DIRECTOR TO  
REPRESENT SUBDIVISION NO. \_\_\_\_ OF THE  
\_\_\_\_ SOIL AND WATER CONSERVATION  
DISTRICT NO. \_\_\_\_

To all persons including the designated representatives of family farm corporations who are eligible voters in the above named Conservation District as described under the provisions of V.T.C.A., Agriculture Code, Chapter 201 who have attained the age of 18 years and reside within a county, all or any part of which is included in the said Soil and Water Conservation District, and who hold title to farm and ranch lands lying within said Conservation District notice is hereby given that in accordance with the provisions of V.T.C.A., Agriculture Code Section 201.073, qualified voters of the above named Soil and Water conservation District (legal description attached) will assemble at \_\_\_\_\_  
at \_\_\_\_ M, on the \_\_\_\_\_ day of October, \_\_\_\_\_, then and there to elect a candidate owning land within said subdivision to serve as a member of the Board of District Directors of said soil and Water Conservation District.

Early voting by personal appearance will be conducted each weekday at:

\_\_\_\_\_  
Between the hours of \_\_\_\_\_ a.m. and \_\_\_\_\_ p.m.  
beginning on \_\_\_\_\_ (date) and ending  
on \_\_\_\_\_ (date).

The time period includes Saturday, September/October  
\_\_\_\_, \_\_\_\_\_, when you may vote early by personal  
appearance from \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m.  
at \_\_\_\_\_

**BY DIRECTION OF THE STATE SOIL AND  
WATER CONSERVATION BOARD**

**This "Due Notice of Election" should be  
posted in at least three conspicuous  
places in your district.**



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# Checklist for Director Elections

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17 days prior to election  
date through 4 days  
prior to election date  
including one Saturday

Early voting by  
personal  
appearance



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# Checklist for Director Elections

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Two Days Prior to the  
beginning of Early  
Voting

- Last day for candidate to withdraw and not be on the ballot
- Appointed district director should prepare the election ballots



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# Voter Eligibility

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- At least 18 years old
- Own Agricultural land in the SWCD  
Name of Soil and Water Conservation District      District #      Subdivision #
- Live in a county all or part of which is in the SWCD
- Be actively engaged in farming or ranching



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# Terms of Office

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SWCD directors serve for staggered terms of four years with the term of one or two members expiring each year.



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# Director Compensation

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## Local SWCD Meetings

- **\$20** per diem per meeting
- The state mileage reimbursement rate specified in the General Appropriations Act from home to meeting location and back home

(Note-- SWCDS are allowed 5 paid meetings per quarter. Directors file claims on a quarterly basis.)



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# Director Compensation

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## State Board Member Elections

- **\$30** per diem for the district's voting delegate
- The state mileage reimbursement rate specified in the General Appropriations Act from the county seat of the delegate to the election site and back to the county seat.



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# Director Compensation

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## Annual State Meeting

- **\$30** per diem not to exceed two days for two directors
- The state mileage reimbursement rate specified in the General Appropriations Act for one director from his home to the annual state meeting and back to home.



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# Unexpired Terms Due to Resignation or Death

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- Remaining directors select a person to fill the unexpired term of office
- Appointment papers are filled out on the candidate and signed by a **majority** of district board members
- Appointment papers are sent by the SWCD to TSSWCB headquarters



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# Unexpired Terms Due to Resignation or Death

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- TSSWCB reviews and acts upon appointment
- TSSWCB notifies the person of approval as a director and sends new director an oath of office.

*(When the oath of office has been signed and notarized, the person officially becomes a district director.)*



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# Duties of a SWCD Director

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Think About it!!

What do you think your duties are?  
Take a moment and list what you  
think your responsibilities are.



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# Duties of a SWCD Director

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- Attend and participate in all board meetings and functions
- Establish SWCD policies
- Review and approve conservation agreements
- Develop SWCD annual plans of work



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## More Duties...

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- ☑ Identify conservation needs in SWCD
- ☑ Set SWCD program & work priorities
- ☑ Provide Technical Assistance to SWCD cooperators
- ☑ Keep informed on legislation pertaining to soil and water conservation issues.



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## And some more duties.....

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- Negotiate and enter into working agreements with other local, state and federal agencies
- Encourage landowners/operators and public entities to become cooperators of the SWCD
- Maintain close contact with TSSWCB and Field Rep serving SWCD



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## And some more duties...

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- ☑ Encourage the use and proper management of all SWCD equipment
- ☑ Know state conservation laws
- ☑ Secure operating funds for the SWCD
- ☑ Establish sound business procedures for SWCD (accounting & financial management)